

10/073108

FITZPATRICK, CELLA, HARPER & SCINTO

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FACSIMILE COVER SHEET**TO:** Kay Pinkney**FROM:** Michael K. O'Neill**RE:** U.S. Application No. 10/073,108
Atty. Docket No. 03500.016185**FAX NO.:** (703) 305-0333 308-6642**DATE:** March 15, 2005**NO. OF PAGES:** 6
(including cover page)**TIME:** 10:02**SENT BY:** Jorm**MESSAGE**

As requested in your telephone message, attached is a copy of our Response to Notice to File Missing Parts, including a copy of the executed Declaration and a copy of a stamped postcard receipt acknowledging the USPTO's receipt of these papers.

**IF YOU DO NOT RECEIVE ALL THE PAGES
PLEASE CALL 714-540-8700 AS SOON AS POSSIBLE.**

Note: We are transmitting from a Canon Model FAX-L770
(compatible with any Group I, Group II or Group III machine).

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2 of 7

10/073108

COPY

BOX MISSING PARTS
 Commissioner for Patents
 Washington, D.C. 20231

Date 4 13 102
Mo. Day Yr.Atty. Docket 03500.016185Application No: 10/073,108

Sir,

Kindly acknowledge receipt of the accompanying:

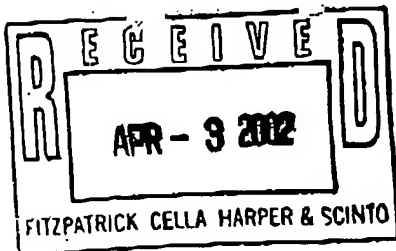
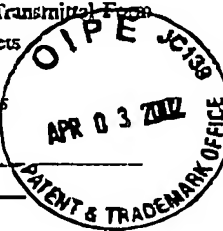
- ☐ Specifications, claims and abstract _____ pages, with Transmittal Form
- ☐ Patent Application Bibliographic Data Sheet _____ sheets
- ☒ Executed Oath or Declaration and Power of Attorney
- ☐ _____ Sheets of _____ formal _____ informal drawings
- ☒ Check for \$ 130- Surcharge (filing fee)
- ☐ Request for Continued Examination and Check for \$ _____
- ☐ Assignment, PTO-1595 and Check for \$ _____
- ☐ Transmittal Under 37 CFR 1.53(d) (CPA)
- ☐ Petition under 37 CFR 1.136 and check for \$ _____

☒ Other (specify) Relp. NTFMP + copy of NTFMP

by placing your receiving date stamp hereon and mailing or returning to deliverer.

This is a ☐ Continuation ☐ Divisional ☐ Continuation-In-PartAtty. ADM/lsDue Date 5 6 102
Mo. Day Yr.37 CFR 1.8 ☐37 CFR 1.10 ☐By Hand ☒

FCHS-A-00



10/073108

03500.016185

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KAZUMI KIMURA

Application No.: 10/073,108

Filed: February 12, 2002

For: SCANNING OPTICAL APPARATUS
AND IMAGE FORMING
APPARATUS USING THE SAME)
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Group Art Unit: 2621

April 2, 2002

COPY

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231**ATTENTION: APPLICATION PROCESSING DIVISION, SPECIAL
PROCESSING AND CORRESPONDENCE BRANCH**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION - FILING DATE GRANTED mailed March 6,
2002, enclosed please find an executed Declaration/Power Of Attorney form, together with
the surcharge fee of \$130.00. Also enclosed is a copy of the NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED.

The Commissioner is authorized to charge any additional fees or credit any
overpayment to Deposit Account No. 06-1205.

4 of 7

10/073108

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Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

Andrew D. Mickelen
Attorney for Applicant

Registration No. 50,957

FITZPATRICK, CELLA, HARPER & SCINTO
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New York, New York 10112-3801
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CA_MAIN 40165 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

 10/073/08
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 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/073,108	02/12/2002	Kazumi Kimura	03500.016185

CONFIRMATION NO. 3706

5514

 FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

FORMALITIES LETTER



OC00000007590087

Date Mailed: 03/06/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**
(page 1)

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SCANNING OPTICAL APPARATUS AND IMAGE FORMING APPARATUS USING THE SAME the specification of which ☐ is attached hereto; or ☒ was filed on February 12, 2002 as United States Application No. or PCT International Application No. 10/073,108 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b), of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designates at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filed (Day / Mo. / Yr.)</u>	<u>(Yes / No) Priority Claimed</u>
Japan	041907/2001 (Pat.)	19/February/2001	Yes

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application No.</u>	<u>Filed (Day/Mo./Yr.)</u>	<u>Status (Patented, Pending, Abandoned)</u>
------------------------	----------------------------	--

I hereby appoint the practitioners associated with the firm and Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to the address associated with that Customer Number:

FITZPATRICK, CELLA, HARPER & SCINTO
Customer Number: 05514

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor Kazumi Kimura

Inventor's signature Kazumi Kimura

Date March 11, 2002 Citizen/Subject of Japan

Residence Saitama, Japan

Post Office Address CANON KABUSHIKI KAISHA

3-30-2, Shimomaruko, Ohta-ku, Tokyo, Japan